

Green, and they extended from 1834 until ——. He was to be credited with commissions withheld, and with interest, and these accounts were to be corrected by such credits. It is not intimated that he is only to be credited with forfeited commissions and interest accruing for the time covered by bonds upon which the suits are brought. On the contrary, the clear meaning of the resolution is, that he is to be credited with all forfeited commissions and interest.

“Then the third resolution directs in what manner these credits shall be applied. It is expressly said they shall be applied to the credit of the judgments obtained by the state against Green, Welch and Brown. It is true, the word “judgment” is used in the second resolution in reference to the purchase of the Maryland Gazette, and in the first part of the third resolution, but the proviso in the third resolution speaks of the judgments and clearly shows that the design was to apply the credits to the judgment against the said defendants. As to the application of these payments language could not make the design of the legislature plainer. The resolution is express, and nothing is left for construction.

“There can exist no constitutional objection to the resolution. In its passage the legislature exercised no judicial power. The state was the plaintiff, and the legislature representing the state, might, at her pleasure, give directions in relation to the judgments, and might abate the same by such credits as she pleased to give, as any other plaintiff might do.

“It is objected that the resolutions are void by reason of the fourth article of the declaration of rights, which declares that “all persons invested with the legislative or executive powers of government are the trustees of the public,” and that such an exercise of power is a violation of a delegated trust. This objection we do not think has been maintained. Since the organization of the government, powers of a similar kind in regard to the debtors of the state have been exercised without ever having, until now, been doubted or questioned. The state has certainly control over her own claims, and may lessen the severity of her enactments in regard to her public officers who